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6 **UNITED STATES DISTRICT COURT**  
7 **DISTRICT OF NEVADA**  
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9 ERNEST DEAN CARPENTER,

10 Petitioner,

11 vs.

12 D. W. NEVEN, et al.,

13 Respondents.  
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Case No. 2:11-CV-00867-PMP-(LRL)

**ORDER**

15 Petitioner has submitted an application to proceed in forma pauperis (#1) and a petition for a  
16 writ of habeas corpus pursuant to 28 U.S.C. § 2254. The court finds that petitioner is unable to pay  
17 the filing fee. The court has reviewed the petition pursuant to Rule 4 of the Rules Governing  
18 Section 2254 Cases in the United States District Courts. The court will serve the petition upon  
19 respondents for a response.

20 IT IS THEREFORE ORDERED that the application to proceed in forma pauperis (#1) is  
21 **GRANTED**. Petitioner need not pay the filing fee of five dollars (\$5.00).

22 IT IS FURTHER ORDERED that the clerk of the court shall file the petition for a writ of  
23 habeas corpus pursuant to 28 U.S.C. § 2254.

24 IT IS FURTHER ORDERED that the clerk shall add Catherine Cortez Masto, Attorney  
25 General for the State of Nevada, as counsel for respondents.

26 IT IS FURTHER ORDERED that the clerk shall electronically serve upon respondents a  
27 copy of the petition. In addition, the clerk shall return to petitioner a copy of the petition.  
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1 IT IS FURTHER ORDERED that respondents shall have forty-five (45) days from the date  
2 on which the petition was served to answer or otherwise respond to the petition. If respondents file  
3 and serve an answer, then they shall comply with Rule 5 of the Rules Governing Section 2254  
4 Cases in the United States District Courts, and then petitioner shall have forty-five (45) days from  
5 the date on which the answer is served to file a reply.

6 IT IS FURTHER ORDERED that henceforth, petitioner shall serve upon respondents or, if  
7 appearance has been entered by counsel, upon the attorney(s), a copy of every pleading, motion or  
8 other document submitted for consideration by the court. Petitioner shall include with the original  
9 paper submitted for filing a certificate stating the date that a true and correct copy of the document  
10 was mailed to the respondents or counsel for the respondents. The court may disregard any paper  
11 received by a district judge or magistrate judge that has not been filed with the clerk, and any paper  
12 received by a district judge, magistrate judge, or the clerk that fails to include a certificate of  
13 service.

14 DATED: June 16, 2011.

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17 PHILIP M. PRO  
18 United States District Judge  
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